

REMARKS

This Application has been carefully reviewed in light of the Office Action. Applicants appreciate the Examiner's consideration of the Application. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Allowed Claim

Applicants appreciate the Examiner's allowance of Claim 20.

Rejections Under Sections 102 and 103

The Examiner rejects Claims 1-3, 7-9, 13-15, and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,327,276 to Robert et al. ("*Robert*"). The Examiner rejects Claims 6, 12, and 18 under U.S.C. § 103(a) as being unpatentable over *Robert* in view of U.S. Patent Application Pub. No. 2003/0002481 filed by Laursen et al. ("*Laursen*"). Applicants respectfully traverse these rejections for the reasons discussed below.

Applicants respectfully submit that the combination of *Robert* and *Laursen* proposed by the Examiner fails to disclose, or even teach or suggest, the elements specifically recited in Applicants' claims. For example, the *Robert-Laursen* combination proposed by the Examiner fails to disclose, teach, or suggest the following elements recited in independent Claim 1:

determining, at the local endpoint, a plurality of metric ratings, each metric rating reflecting an importance of a signal of the plurality of signals.

The Examiner relies on a client of *Robert* to disclose "a local endpoint" of Claim 1. (Office Action, Page 2 (stating "a local endpoint (e.g., at a client, see col. 2, lines 46-65)").) The Examiner further relies on the passage of *Robert* at Col. 6, Lines 1-25 to teach the above limitations. (Office Action, Page 3.) The passage, however, fails to disclose performing any operations at a client. In fact, the passage merely discloses performing operations at *a server*, as is recognized by the Examiner:

In reply, applicant is directed to column 6, lines 1-25 wherein *the server* synchronizes the data packets from various received signals to compensate for the small variations in arrival time (corresponding to "determining at the *local point (server)* a plurality of metric ratings"), then sending a single multicast signals [*sic*] having scaled signals (reflected from

the scaled level of the individual signals, which is corresponding to the “important [*sic*] of a signal of the plurality of signals”). Thus, claimed limitations had met the teaching in *Robert*, col. 6, lines 1-25.

(Final Office Action mailed March 23, 2007, Page 5 (emphasis added).) That is, the Examiner relies on *a client* of *Robert* to disclose “a local endpoint” of Claim 1, but relies on operations performed at *a server* to disclose operations performed at the local endpoint of Claim 1. Accordingly, *Robert* fails to disclose, teach, or suggest “determining, *at the local endpoint*, a plurality of metric ratings, each metric rating reflecting an importance of a signal of the plurality of signals” of Claim 1 (emphasis added).

Consequently, at a minimum, *Robert*, even when combined with *Laurson* as proposed by the Examiner, fails to disclose, teach, or suggest the limitations of independent Claim 1. For at least this reason, independent Claim 1 and its dependent claims are allowable under 35 U.S.C. §§ 102 and 103. For analogous reasons, independent Claims 7, 13, and 19, and their dependent claims are allowable under 35 U.S.C. §§ 102 and 103. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-3, 5-9, 11-15, 17-19, and 21-23.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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